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DATE FILED: 12/7/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARTURO ESTEVEZ, Individually, and on behalf of all
others similarly situated,

Plaintiff,

-against-

ROBERT C ELDRED CO, INC.,

Defendant.

1:21-cv-08878-MKV

ORDER

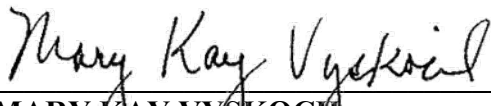
MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on October 29, 2021. [ECF No. 1]. An affidavit of service of summons and complaint was filed on the docket on November 30, 2021. [ECF No. 5]. According to that summons, Defendant's response to the complaint was due November 26, 2021. [ECF No. 5]. No responses were filed, and Plaintiff has not prosecuted this case to date.

Accordingly, IT IS HEREBY ORDERED that any motion for entry of a default judgment shall be filed by January 11, 2022. Plaintiff is directed to follow the procedures applicable to default judgments under the Court's Individual Rules and Practices for Civil Cases, available at the Court's website. Failure to move for a default judgment by January 11, 2022 may result in dismissal of this action for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001).

SO ORDERED.

Date: December 7, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge